

65A-8-212 Power of state forester to close hazardous areas -- Violations of an order closing an area.

- (1)
 - (a) If the state forester finds conditions in a given area in the state to be extremely hazardous, "extremely hazardous" means categorized as "extreme" under a nationally recognized standard for rating fire danger, he shall close those areas to any forms of use by the public, or to limit that use.
 - (b) The closure shall include, for the period of time the state forester considers necessary, the prohibition of open fires, and may include restrictions and prohibitions on:
 - (i) smoking;
 - (ii) the use of vehicles or equipment;
 - (iii) welding, cutting, or grinding of metals;
 - (iv) fireworks;
 - (v) explosives; or
 - (vi) the use of firearms for target shooting.
 - (c) Any restriction or closure relating to firearms use:
 - (i) shall be done with support of the duly elected county sheriff of the affected county or counties;
 - (ii) shall undergo a formal review by the State Forester and County Sheriff every 14 days; and
 - (iii) may not prohibit a person from legally possessing a firearm or lawfully participating in a hunt.
 - (d) The State Forester and County Sheriff shall:
 - (i) agree to the terms of any restriction or closure relating to firearms use;
 - (ii) reduce the agreement to writing;
 - (iii) sign the agreement indicating approval of its terms and duration; and
 - (iv) complete the steps in Subsections (1)(d)(i) through (d)(iii) at each 14 day review and at termination of the restriction or closure.
- (2) Nothing in this chapter prohibits any resident within the area from full and free access to his home or property, or any legitimate use by the owner or lessee of the property.
- (3) The order or proclamation closing or limiting the use in the area shall set forth:
 - (a) the exact area coming under the order;
 - (b) the date when the order becomes effective; and
 - (c) if advisable, the authority from whom permits for entry into the area may be obtained.
- (4) Any entry into or use of any area in violation of this section is a class B misdemeanor.

Amended by Chapter 307, 2013 General Session